

U.S. Department of Energy
Washington, D.C.

ORDER

HQ 250.1

Issued: 5-1-98
Review Date: 5-1-00

**SUBJECT: CIVILIAN RADIOACTIVE WASTE MANAGEMENT FACILITIES --
EXEMPTION FROM DEPARTMENTAL DIRECTIVES**

1. **OBJECTIVE.** To provide exemptions in certain Department of Energy (DOE) directives for Office of Civilian Radioactive Waste Management (RW) facilities. Exemptions apply to requirements in directives that overlap or duplicate requirements of the Nuclear Regulatory Commission (NRC) to assure precedence of NRC requirements. Implementation of this Order will avoid the potential for unnecessary dual requirements.
2. **CANCELLATION.** HQ 1321.1, Civilian Radioactive Waste Management Facilities -- Exemption From Departmental Directives, of 12-22-93.
3. **APPLICABILITY.** This Order applies to all Headquarters elements responsible for issuing directives that affect RW facilities.
4. **DEFINITION.** For the purpose of this Order, the term "facility" is defined as:

"OCRWM structures, equipment, systems, processes, or activities associated with the acceptance, transportation, storage, and disposal of spent nuclear fuel and high-level radioactive waste, pursuant to the Nuclear Waste Policy Act, as amended, and Nuclear Regulatory Commission regulations, where applicable. Examples include interim storage structures and technologies, repository facility structures, and waste acceptance and transportation activities."
5. **REQUIREMENTS.**
 - a. DOE directives that contain requirements applicable to RW facilities that overlap or duplicate NRC regulations shall contain the following exemption statement:

"Requirements in this Order that overlap or duplicate requirements of the Nuclear Regulatory Commission (NRC) related to radiation protection, nuclear safety (including quality assurance), and safeguards and security of nuclear material, do not apply to the design, construction, operation, and decommissioning of Office of Civilian Radioactive Waste Management (RW) facilities."

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Office of Civilian Radioactive
Waste Management

- b. This exemption does not apply to requirements for which the NRC defers to DOE or does not exercise regulatory jurisdiction.

6. RESPONSIBILITIES.

- a. The Secretary has sole jurisdiction to approve the imposition of requirements on RW programs and activities that are more stringent and/or comprehensive than those imposed by the NRC.
- b. Director, Office of Civilian Radioactive Waste Management, shall identify current DOE directives that require this exemption statement and notify the appropriate Headquarters element.
- c. Heads of Headquarters Elements shall revise all applicable directives to include this exemption statement.

7. CONTACT. For information on this Order and a listing of applicable NRC regulations contact: [Narendra Mathur](#), Office of Program Management and Administration (RW-50), (202)-586-4929.

BY ORDER OF THE SECRETARY OF ENERGY:



Archer L. Durham
Assistant Secretary for
Human Resources and Administration